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DATE: January 10, 2002

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PAGES: 4 (including this cover sheet)

TO: U.S. Patent and Trademark Office

ATTN: Examiner Foley

FROM: Peter A. Jackman, Esquire *PAJ*

RE: U.S. Application No. 09/688,371; Filed: October 12, 2000

For: Recombinant, Replication Defective CELO Virus and CELO
Virus DNA

Inventors: Cotten *et al.*

OUR REF: 0652.2150001/EKS/PAJ

MESSAGE

Further to our telephone conversation today, attached please find a copy of the Preliminary Amendment filed January 18, 2001.

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JAN. 10. 2002 1:30PM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

COTTEN *et al.*

Appl. No. 09/688,371

Filed: October 12, 2000

For: **Recombinant, Replication Defective
CELO Virus and CELO Virus
DNA**

Art Unit: 1646

Examiner: *To Be Assigned*

Atty. Docket: 0652.2150001/EKS/PAJ

#14

*Amdt B
1/12/02***Preliminary Amendment**Commissioner for Patents
Washington, D.C. 20231

Sir:

In advance of prosecution, please amend the application as follows:

In the Claims:

Please amend the claims as follows:

29. (Once amended) The method of claim 26, wherein the host cell is infected with a CELO virus into whose genome an hsp40 expression cassette encoding hsp40 or another protein upregulated by Gam1 has been inserted.

Remarks

Applicants have amended claim 29 to further clarify the expression cassette which is inserted into the CELO virus. This amendment does not narrow the scope of the claim, in that the embodiments intended by Applicants to be included within the scope of claim 29 as filed